

REMARKS

Claims 86, 87, 89, 91, 92, 94, 96 to 107 and 109 to 116 are now pending and being considered (since claims 72 to 85 were previously withdrawn in response to a restriction requirement).

Applicants respectfully request reconsideration of the present application in view of this response.

With respect to page 3 of the Office Action, Applicants thank the Examiner for allowing claims 86, 87, 89, 91, 92, 94, 100, 101, 103 to 107 and 113 to 116.

With respect to page one (1) of the Office Action, claims 96 to 99, 102 and 109 to 112 were rejected under 35 U.S.C. § 103(a) as obvious over Alfred J. Manezes et al. article, entitled Handbook of Applied Cryptography, 1997, CRC Press LLC, pages 321, 322, 559 and 560.

To reject a claim as obvious under 35 U.S.C. § 103, the prior art must disclose or suggest each claim feature and it must also provide a motivation or suggestion for combining the features in the manner contemplated by the claim. (See Northern Telecom, Inc. v. Datapoint Corp., 908 F.2d 931, 934 (Fed. Cir. 1990), cert. denied, 111 S. Ct. 296 (1990); In re Bond, 910 F.2d 831, 834 (Fed. Cir. 1990)). Thus, the “problem confronted by the inventor must be considered in determining whether it would have been obvious to combine the references in order to solve the problem”, Diversitech Corp. v. Century Steps, Inc., 850 F.2d 675, 679 (Fed. Cir. 1998).

In particular, in rejecting a claim under 35 U.S.C. § 103(a), the Examiner bears the initial burden of presenting a *prima facie* case of obviousness. In re Rijckaert, 9 F.3d 1531, 1532, 28 U.S.P.Q.2d 1955, 1956 (Fed. Cir. 1993). To establish *prima facie* obviousness, three criteria must be satisfied. First, there must be some suggestion or motivation to modify or combine reference teachings. In re Fine, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988). This teaching or suggestion to make the claimed combination must be found in the prior art and not based on the application disclosure. In re Vaeck, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991). Second, there must be a reasonable expectation of success. In re Merck & Co., Inc., 800 F.2d 1091, 231 U.S.P.Q. 375 (Fed. Cir. 1986). Third, the prior art reference(s) must teach or suggest all of the claim features. In re Royka, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974).

While the rejections may not be agreed with, to facilitate matters, claims 96, 102 and 109 have been rewritten.

In particular, claim 96 now provides that the “originality information sending means includes means for sending, in addition to the originality information, session information received from the user apparatus to the user apparatus with a signature of the issuer apparatus, the session information including a number uniquely indicating a session for the original data and a hash value of a verification key of the user apparatus, wherein the number in the session information is deleted from stored numbers in the user apparatus if the number in the session information is included in the stored numbers in the user apparatus”.

It is respectfully submitted that any review of the “Manezes” article reference, which only generally concerns hash functions and data integrity and public-key certificates, makes plain that it does not in any way disclose or suggest the features in which “a hash value of a verification key of the user apparatus, wherein the number in the session information is deleted from stored numbers in the user apparatus if the number in the session information is included in the stored numbers in the user apparatus”, as provided for in the context of claim 96 as presented.

Accordingly, claim 96 is allowable, as are its dependent claims 97 to 99.

Claim 109 as presented also now includes features essentially like those of claim 96 as presented, and is therefore allowable for essentially the same reasons as claim 96 as presented. Accordingly, claim 109 is allowable, as are its dependent claims 110 to 112.

Like wise, claim 102 now provides that the “collector apparatus authenticates the user apparatus by verifying that the third party certificate authenticates the user apparatus and that a certifier of the third party certificate is included in third parties stored in the accredited information received from the user apparatus and checks whether the number in the session information is included in numbers stored in the collector apparatus and deletes the number in the session information from the stored numbers if the number in the session information is included in the stored numbers.”

It is respectfully submitted that any review of the “Manezes” article reference, which only generally concerns hash functions and data integrity and public-key certificates, makes plain that it does not in any way disclose or suggest the features in which a “collector apparatus authenticates the user apparatus by verifying that the third party certificate authenticates the user apparatus and that a certifier of the third party certificate is included in third parties stored in the accredited information received from the user apparatus and checks whether the number in the session information is included in numbers stored in the collector apparatus and deletes the number in the session information from the stored

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numbers if the number in the session information is included in the stored numbers.”, as provided for in the context of claim 102 as presented.

Accordingly, claim 102 is allowable.

In summary, it is respectfully submitted that claims 96 to 99, 102 and 109 to 112 are allowable (like allowed claims 86, 87, 89, 91, 92, 94, 100, 101, 103 to 107 and 113 to 116) at least for the foregoing reasons.

CONCLUSION

In view of the foregoing, it is believed that the objections and rejections have been obviated, and that claims 96 to 99, 102 and 109 to 112 are allowable – like allowed claims 86, 87, 89, 91, 92, 94, 100, 101, 103 to 107 and 113 to 116. It is therefore respectfully requested that the rejections be withdrawn, and that the present application issue as early as possible.

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